

NEWSLINE RADIO - CBBS EDITION #69 - POSTED 04/04/93

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The following is late news about Amateur Radio for Radio Amateurs as prepared from NEWSLINE RADIO scripts by the staff of the AMATEUR RADIO NEWSLINE, INC. -- formerly the WESTLINK RADIO NETWORK. The electronic version of newsline is posted on this CBBS twice monthly. For current information updates, please call (213) 462-0008, (805) 296-2407, (407) 259-4479, (708) 289-0423, (513) 275-9991, (718) 353-2801, (407) 965-1234 or (206) 368-3969. To provide stories and information please call (805) 296-7180. This line answers automatically and will accept up to 30 minutes of material.

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For further information about the AMATEUR RADIO NEWSLINE, please write to us with an SASE at P.O. Box 463, Pasadena, CA 91102.

Thank You
NEWSLINE

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Some of the hams of NEWSLINE RADIO...

WA6ITF WB6MQV WB6FDF K6DUE W6RCL N6AHU N6AWE N6TCQ K6PGX N6PNY
KU8R N8DTN W9JUV KC9RP K9XI KB5KCH KC5UD KC0HF G8AUU DJ0QN and

many others in the United States and around the globe!!!

[816]

ARRL vs NAB

The ARRL has taken a stand on the legality of fines used by the FCC to enforce its rules. The National Association of Broadcasters says that these fines are illegal. The ARRL says that the FCC and not the broadcasters is correct. This is a late breaking story.

The Press Release from the ARRL tells the story better than anything that we might be able to add. We quote:

"Dateline Newington, Connecticut. April 2nd, 1993. The American Radio Relay League announced today that it has filed a motion to support the Federal Communications Commission in a lawsuit filed by broadcasters who seek to overturn the way FCC enforces indecent broadcast prohibitions through financial penalties. The ARRL says that a decision in favor of the broadcasters could harm the FCC's ability to combat indecency on amateur radio frequencies.

In a motion filed in United States District Court of the District of Columbia on March 16, the ARRL asked to participate in a suit brought by Action for Children's Television and 20 other broadcasting and public-interest organizations. The broadcasters allege that monetary forfeiture proceedings used by the FCC in indecency cases violate Constitutional due-process and free-speech protections. Since prompt judicial review of forfeiture orders is not available, the broadcasters say, they must engage in self-censorship and claim that the FCC has used this process to punish or threaten them in violation of the Communications Act of 1934. The broadcasters have asked the Court to prohibit the procedures now used by the FCC to rule on alleged indecency violations under 18 U.S.C. 1464; to enjoin FCC from initiating or conducting forfeiture proceedings under 47 U.S.C. 503(b) for alleged violations of 18 U.S.C. 1464; and to order the dismissal of all indecency forfeiture proceedings under 47 U.S.C. 503(b) currently pending before the Commission.

The ARRL has requested to be permitted either to intervene in support of the FCC, or, alternatively, to submit a brief Amicus Curiae in support of the interests of radio amateurs." -- end quote.

In a statement that accompanied the ARRL release, the Leagues president George Wilson, W4OYI had his own thought to add. Wilson who is himself an attorney said -- and again we

quote --

"While the relief sought by the plaintiffs specifically concerns the Broadcasting Service, we're concerned that it might also have the effect of harming FCC efforts to enforce rules in the Amateur Service that have been strongly supported by radio amateurs." End of quote.

By taking this action the American Radio Relay League seems to be telling Broadcasters and other commission licensed services that ham radio operators do not think that the FCC Rules and Regulations infringe in any way on their freedom of speech. That hams want to be regulated and are more than willing to live within the terms of their licenses and the rules that guide them. More on this next week.

ARRL DIS-ACCREDITS VE'S

The ARRL Volunteer Examiner Coordinator has temporarily suspended the accreditation of eleven of its Volunteer Examiners. This, pending an investigation of what it calls alleged irregularities at two testing sessions in Stockton and Newark California in November of 1992 and in February of this year.

According to the ARRL's VEC Administrator Bart Jnanke, KB9NM, the so-called irregularities in the two exam sessions involve only the Morse Code testing of forty six new applicants and another forty six upgrades.

A spokesman for the FCC says that he expects action will be taken in regard to the examinees who upgraded their licenses at the November testing session in Newark, California. In the past the FCC has simply invalidated the test results of suspect sessions and has directed that applicant take new tests within a specified time period. The commission indicates that some action involving the February 1993 examinees from the Stockton session would probably follow.

The ARRL says that the same Volunteer Examiners have also held sessions in Union City and San Jose, California, but did not comment if any of these sessions were under scrutiny by it, or the FCC.

NAL'S CANCELED AGAINST CALIFORNIA AMATEUR RADIO SCHOOL VE'S

Notices of Apparent Liability to Monetary Forfeiture issued against several Volunteer Examiners in the abortive 1991 sting investigation of the ham radio testing procedures at the California Amateur Radio School have been dropped. On March

16th, FCC Special Services Division Chief Robert McNamara notified Attorney George L. Lyon Jr. that the Commission had canceled the NAL's that the agency had issued against several of his clients who were members of the Volunteer Examination team. Also, that a fine levied against another member of the VE group was being reduced to a minor regulatory infraction carrying only a \$100 forfeiture.

Attorney Lyon had been retained by the VE testing team after the now discredited ham on ham investigation by members of the Los Angeles Official Observer Corps had indicated the possibility of wrong doing by the school and those providing the testing. The investigation lead to the FCC issuing orders to suspend and revoke the Amateur Radio licenses of school proprietor Sandra Crane N6TF0 and instructor Charles Pascal WB6CIY.

But last fall, FCC Administrative Law Judge Joseph Chachkin overturned the suspensions and revocations. He ruled that the government's case was flawed. He then worked out a Consent Agreement with Pascal and Crane.

After successfully defending N6TF0 and WB6CIY, Attorney Lyon took on the problems of the VE Team. He argued that based on the evidence developed in the Crane and Pascal case, that it was evident that the VE's had been wrongly accused. Lyon argued that the fines against them violated the terms of the governments own Administrative Procedures Act. That they were issued based on an un-substantiated and now discredited complaint from outside of the Amateur Auxiliary Program, and therefore should be canceled.

While the FCC responded that it did have the right to accept complaint from any part of the citizenry, it also agreed that it was proper to dismiss the NAL's based on the facts brought out in the Consent Order decision in the Crane and Pascal case.

And, as we said earlier, only one VE faced any form of punitive action and even here the FCC reduced the amount of the NAL to \$100. The FCC said that this was based on the admission and willingness to accept responsibility for what the Commission termed as being a shortfall in a single Morse Code Exam. McNamara's letter to Attorney Lyon said that based on the explanation the ham had provided, the violation itself was being adjusted downward because of that amateurs' willingness to show good faith.

This does not end the matter. There are still several other VE's waiting to hear from the FCC about the Notices of Apparent Liability served on them in the long running case.

SAREX DELAY

A sticky valve forced the last minute abort on the space shuttle Columbia recently and NASA has reconfigured the entire

shuttle schedule as a result.

Three SAREX missions in the immediate future are affected. The SAREX Working Group now expects STS-56 to be next up. The space-ship Discovery should launch around the end of the first week or ten days in April going up very early in the morning around 05:30 UTC for a nine day flight with four licensed amateurs on board. They will fly in a high inclination orbit which should take them over all of the United States several times a day. Look for voice, packet, slow-scan and fast-scan ATV.

NASA hopes to launch STS-55, the delayed Columbia, in late April with four amateur operators and two ham stations on board. The American hams will operate SAREX from the orbiter while the German's will use the SAFEX European station from the ESA Spacelab.

Finally, STS-57 with Brian Duffy, N5WQW on the shuttle Endeavour should launch sometime in May.

SUPER RADAR TO STUDY EARTH FROM SHUTTLE

The same space shuttle that frequently carries manned Amateur Radio systems into space will soon play host to the worlds most powerful earth resources radar study system. A consortium consisting of the United States, Germany and Italy have built this advanced new system that has the capability to view the Earth through clouds, jungle foliage and desert sand to gauge planetary damage.

The \$300 million device will make three shuttle flights in the 1994 through 1996 time frame and is expected to produce high quality color images of the most inaccessible areas of the Earth. It is expected to yield important information about the way in which air pollution, population development and natural factors are influencing life and climate on the planet. Targets will include volcanoes in the Galapagos Islands, soil moisture in Oklahoma, vegetation levels in the Amazon, the condition of Pine Forests in North Carolina and debris deposited on the Earth's crust in California's Death Valley by ancient floods.

The one-hundred and eleven ton radio system was unveiled on March 23 by NASA, the German Space Agency and Italian Space Agency. The United States paid fifty percent of the cost of developing the system.

ARRL SCHOLARSHIPS

The ARRL Foundation says that it plans to administer sixteen scholarships for the 1993 to 1994 academic year. With several

of these being multiple awards, the actual number presented will probably exceed twenty two. The scholarship awards range from \$500 to \$2000 with ten of these being above the \$1000 level.

The ARRL Foundation scholarship awards program is open to all, licensed radio amateurs pursuing a course of study beyond high school level. Some of the awards require membership in the League while others carry state, geographic or academic preferences.

For further information and an application please write to the ARRL Foundation Scholarship Program, 225 Main Street, Newington Connecticut 06111.

AERO MOBILE

The ARRL Awards Committee has changed the rules, starting with the 1993 International DX Contest. This change will allow US and Canadian stations to work aeronautical and maritime mobile stations outside the US and Canada for contest QSO credit.

There is one catch. The league says that aeronautical and maritime mobile QSO's will not count for any multiplier credits. This change will however allow stations in the DX Contest to log QSOs with aeronautical and maritime mobile stations.

DX

In DX, word from the ARRL that QSL cards for operations by Iranian amateurs for QSOs on or after August 20th, 1988 are now being accepted for DXCC. Previously rejected cards may be returned for DXCC credit.

Also, reports say that DL8NBE, will be traveling and operating from the South Pacific during April 10th thru May 5th. Activity will be on 160m-10m including the WARC on CW and SSB. Hans plans most activity on WARC bands. Some of the callsigns he may be using include ZK1NB and ZK2NB.

AMATEUR COMMUNICATIONS CHANGE

In the business scene, word from Miami that Ernie J. Giro has replaced Lourdes Seamoan as the Assistant Publisher of Amateur Communications and All In Communications Magazines. Both magazines are published by the Miami based Communications Publishing Group and are unique in that two editions are released each month; one in English and the other in Spanish.

HAMVENTION

A reminder that the Dayton Hamvention is now less than a month away. For the few of you who are not aware, Dayton is probably the worlds largest annual gathering of radio amateurs. It attracts between 30,000 and 40,000 attendees every year. It is slated for April 23rd through the 25th at the Hara Arena in Dayton, Ohio.

This year Newsline will be hosting two seminar sessions at the Hamvention. Look for us on Saturday the 24th at 2:45 in the afternoon at the Media Relations forum. On Sunday the 25th, we will have a special treat. Its called the Westlink and Newsline Stories and will feature the four principals behind ham radio news reporting gathered together for the first time. These people are Ham Radio Report former editor Joe Schroeder W9JUV, Westlink Radio Network founder Jim Hendershot WA6VQP, Westlink Report Editor and Publisher Burt Hicks WB6MQV and our own Newsline Producer Bill Pasternak WA6ITF. That session begins at 9:30 am in Room number 1 at the Hara. We hope to see you there.

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